IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 25TH JANUARY 2007 / 5TH MAGHA 1928

WP(C).No. 32215 of 2006(I)

PETITIONER:

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1. T. LIJU, S/O.THANKAPPAN,
   KUTTIKKATHU VELIYIL, CHERTHALA NORTH VILLAGE,
   NORTH MURI, CHERTHALA P.O.

2. THANKAPPAN, S/O.KUNJAN,
   KUTTIKKATHU VELIYIL, CHERTHALA VADAKKUK MURI,
   CHERTHALA VADAKKU VILLAGE,
   CHERTHALA P.O.

3. RAJAMMA, W/O.THANKAPPAN,
   KUTTIKKATHU VELIYIL, CHERTHALA VADAKKU VILLAGE,
   CHERTHALA VADAKKU MURI, CHERTHALA P.O.

BY ADV. SRI.V.N.SWAMINATHAN
SRI.FELIX.K.J.

RESPONDENTS:

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1. THE SECRETARY, HOUSING CO-OPERATIVE
   SOCIETY LTD.NO.A.335, CHERTHALA P.O.,
   PIN-688 524.

2. THE GOVERNMENT OF KERALA
   CO-OPERATIVE TRIBUNAL, TRIVANDRUM.

BY GOVERNMENT PLEADER SRI.P.N. SANTHOSH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.M.JAMES, J.

W.P.(C). 32215/2006 (I)

Dated this the 25th day of January, 2007

JUDGMENT

The first writ petitioner having defaulted the loan amount availed from the first respondent, Society, coercive steps had been initiated against him and his guarantors, the petitioners 2 and 3. The loan amount was for Rs.40,000/-. The writ petitioners claim that an amount of Rs.32,364/- had been remitted. The learned counsel ventured to submit that no amount is due to the first respondent, Society. However, no statement of accounts had been furnished by the petitioners.

2. After hearing both sides, I direct the first petitioner, the principal debtor, to approach the first respondent, Society, with a representation requesting for an One Time Settlement within ten days from today. On receipt of the same, the first respondent shall hear the first petitioner and dispose of the same within three weeks thereof, extending the benefits and facilities of One Time

Settlement scheme, available under Circular No.59/2006 dated 30.11.2006.

3. All coercive steps, initiated against the writ petitioners, shall be kept in abeyance until a final order is passed on the representation, so filed by the first writ petitioner.

The writ petition is disposed of as above.

J.M.JAMES
JUDGE

mrcs